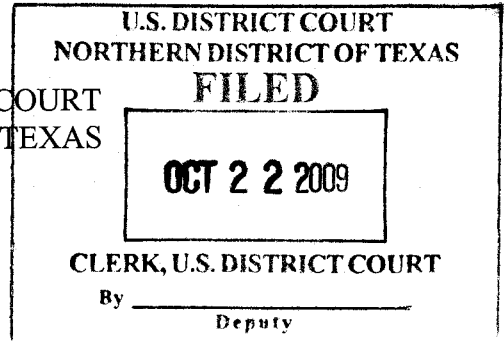


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



CHIMA AGIM,

Petitioner,

v.

RICK THALER, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

§
§
§
§
§
§
§
§
§
§

2:09-CV-0228

ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION,
and DENYING PETITION FOR A WRIT OF HABEAS CORPUS


Petitioner has filed with this Court a petition for a writ of habeas corpus challenging a prison disciplinary case. On September 28, 2009, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the petition for a writ of habeas corpus be denied as petitioner did not lose any previously accrued good time credits and is ineligible for mandatory supervised release due to his 1999 conviction for aggravated sexual assault. On October 15, 2009, petitioner filed objections to the Report and Recommendation arguing therein that his conviction for aggravated sexual assault is void and, thus, cannot be used as a basis to refuse to consider his challenge to the prison disciplinary case. Petitioner does not acknowledge, or address, the additional bar to review his case resulting from the absence of a punishment sanction which included forfeiture of previously accrued good time credits as a result of the prison disciplinary proceeding.

The undersigned United States District Judge has made an independent examination of the record in this case. Petitioner's objections are without merit and are hereby OVERRULED. The

Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is DENIED.

IT IS SO ORDERED.

ENTERED this 22nd day of October 2009.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE